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JUN 02 2016

**LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE**

June 2, 2016

Montana Environmental Quality Council
PO Box 201704
Helena, MT 59620-1704

**RE: Fromberg Wastewater System Improvements
Finding of No Significant Impact (FONSI) and Notice of Intent to Request Release
of Funds (NOI/RROF)**

Dear Reviewer,

The agency received a letter in November 2014 requesting input for environmental concerns regarding the above referenced project. The wastewater improvements rehabilitation of the existing lagoon system including installation of an aerated lagoon with SAGR and UV Disinfection prior to discharge.

Various agencies, including yours, were contacted for environmental input, and the MEPA/NEPA environmental checklist was completed. We used responses from the December 2015 FONSI/NOI RROF letter as a basis for the preparation of the final Environmental Assessment, Environmental Review Record, and conclusion of Finding of No Significant Impact (FONSI). Please find a copy of the FONSI/NOI/RROF enclosed.

The Town will be accepting comments on the FONSI through June 17, 2016. If you have any comments, please send them to:

Town of Fromberg
PO Box 236
Fromberg, MT 59029

Thank you for your time and assistance.
Sincerely,

Great West Engineering, Inc.

Great West
Jackie Kuhl, EI

Project Engineer

BILLINGS

115 N Broadway
Suite 500
Billings, MT 59101
406.652.5000
Fax 406.248.1363

**COMBINED NOTICE OF
FINDING OF NO SIGNIFICANT IMPACT and
NOTICE TO PUBLIC OF REQUEST FOR RELEASE OF FUNDS
(FONSI/NOI/RROF)**

Publication Date: June 2, 2016

Town of Fromberg
P.O. Box 236
Fromberg, MT 59029

TO ALL INTERESTED AGENCIES, GROUPS AND PERSONS:

The USDA Rural Development office and the Montana Community Development Block Grant Program are considering an application for financial assistance to the Town of Fromberg, Montana. The specific elements of this proposed action are reconstructing a wastewater treatment facility to serve the community of Fromberg. The treatment of the effluent will occur at the existing site of the treatment lagoons.

On or about June 17, 2016, the Town of Fromberg will request the Montana Department of Commerce (DOC) to release Community Development Block Grant (CDBG) funds provided under Title I of the Housing and Community Development Act of 1974, as amended (PL 93-383) for the following project:

Project	Wastewater System Improvements
Location	Fromberg, Montana
Total Cost	\$3,319,000

As required by state and federal rules for determining whether an Environmental Impact Statement is necessary, an environmental review has been performed on the aforementioned project.

Project Summary

The community of Fromberg, through its Preliminary Engineering Report (PER), has identified the need to rehabilitate the Town's wastewater treatment system. The purpose of this project is to provide a long-term solution to MPDES operation and maintenance violations and meet a Department of Environmental Quality (DEQ) Administrative Order calling for improvements.

The Town currently has a three-cell facultative lagoon that is designed to discharge treated effluent to the Clarks Fork of the Yellowstone as a batch discharger under the General Permit for Domestic Sewage Treatment Lagoons (MPDES Permit No. MTG580033), which is administered by the DEQ. Despite being designed as a discharging system; the lagoon system rarely discharges. The Town has received several violations related to the proper operation and maintenance of the lagoon system, and entered a Consent Order with the Montana DEQ in January 2012.

The lagoon also has numerous physical deficiencies in addition to the permit violations. The embankments are eroding and sloughing in spots, and the latest MPDES

Compliance Inspection Report cited excessive cattails and animal burrows. The inspection also noted that the telescoping valve in the multi-level discharge structure is not functional.

Leak testing performed as part of this report showed the lagoons to be leaking as much as 4.1 million gallons per year above the allowable rate. The majority of the leakage was shown to be from Cell 1, originally constructed in 1961. This is particularly concerning as it means raw and partially treated wastewater is directly leaking directly to area groundwater and potentially the adjacent Clarks Fork of the Yellowstone River. Therefore, it is recommended that a treatment facility that meets current and future standards be constructed.

The recommended alternative from the PER includes the following improvements:

- Video Inspection and replacement plan of existing collection system
- Rehabilitate the existing lift station
- Construct a new wastewater 2-cell aerated lagoon with SAGR and continued discharge

Finding of No Significant Impact

It has been determined that such request for release of funds will not constitute an action significantly affecting the quality of the human environment and accordingly the Town of Fromberg, has decided not to prepare an Environmental Impact Statement under the National Environmental Policy Act of 1969 (PL 91-190).

The reasons for the decision not to prepare such Statement are as follows:

- A consolidated environmental assessment, which is on file at the Fromberg Town Hall, itemizes the physical environment and human population of the project area.
- The potential environmental impacts have been assessed by USDA Rural Development determining that the proposed action will not significantly affect the quality of the human environment.
- The proposed action is not located within a minimum required distance of any delineated 100-year flood plain.

An Environmental Review Record prepared by the aforementioned Town of Fromberg documenting review of all project activities in respect to impacts on the environment is attached to this Finding of No Significant Impact and Request for Release of Funds. These documents are available for public scrutiny on the DEQ web site (<http://www.deq.state.mt.us/ea.asp>) and also available for public examination and copying upon request between the hours of 9:00 AM and 4:00 PM at the following locations:

Town of Fromberg
118 W. River Street
Fromberg, MT 59029

No further environmental review of such project is proposed to be conducted prior to the request for release of CDBG project funds.

Public Comments on Findings

All interested agencies, groups and persons disagreeing with the Finding of No Significant Impact are invited to submit written comments for consideration by the Town to the Fromberg Town Offices, or to Rural Development/Rural Utilities Service, (2229 Boot Hill Court, Bozeman, MT 59715) on or before June 17, 2016. All such comments so received will be considered and the Town will not request release of funds or take any administrative action on the project prior to the date specified in the preceding sentence.

State Release of Funds

Anticipated funding for the project is through a combination of the following: a Community Development Block Grant (CDBG), a Treasure State Endowment Program (TSEP) Grant, a Department of Natural Resources and Conservation (DNRC) grant, and a USDA Rural Development Grant/Loan package.

The Town of Fromberg will undertake the project described above with CDBG funds provided by DOC under Title I of the Housing and Community Development Act of 1974, as amended. The Town of Fromberg is certifying to DOC that Fromberg and Richard Anderson, in his official capacity as mayor and environmental certifying officer consents to accept the jurisdiction of the Federal courts if an action is brought to enforce responsibilities in relation to environmental reviews, decision-making, and action; and that these responsibilities have been satisfied. The legal effect on the certification is that upon its approval, the Town may use the CDBG funds and DOC will have satisfied its responsibilities under the National Environmental Policy Act of 1969.

Objections to State Release of Funds

DOC will accept an objection to its approval for State Release of Funds only if it is on one of the following bases:

- a. that the certification was not in fact executed by the certifying officer or other officer of the applicant approved by DOC;
- b. that the applicant's environmental review record for the project indicates omission of a required decision, finding, or step applicable to the project in the environmental review process;
- c. the grant recipient has committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by DOC; or
- d. another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental design.

Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58) and may be addressed to: Department of Commerce, Community

Development Division, 301 S. Park Avenue, P.O. Box 200523, Helena, Montana 59620-0523.

Objections to the release of funds on bases other than those stated above will not be considered by DOC. No objection received after July 7, 2016 will be considered by DOC.

The following documents have been utilized by the DEQ and Town of Fromberg in the preparation of this Environmental Assessment and Environmental Review Record:

1. Preliminary Engineering Report for the Town of Fromberg for Wastewater System Improvements, 2014, prepared by Great West Engineering, Inc.

Richard Anderson, Mayor

June 2, 2016

118 W. River Street

Fromberg, MT 59029